

Application No. 09/023,672
Amendment

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REMARKS

Claims 1-69 are pending in the application. Claims 1-69 were rejected. Claims 1 and 35 are the independent claims. Reconsideration of the application is respectfully requested.

The Examiner acknowledged the priority claim based on U.S. Provisional Patent Application 60/039,696. The written description is amended to make reference to this provisional application.

The Examiner required submission of formal drawings. Formal drawings are submitted with this response.

The Examiner provisionally rejected claims 1-8, 32-42, and 66-69 under the judicially-created doctrine of obviousness-type double-patenting, as being unpatentable over claims 3-8, 32-34, 37-42, and 67-69 of co-pending Application No. 09/874,364. The Examiner acknowledged that claims 1-8, 32-42, and 66-69 would be allowable by terminal disclaimer to overcome the rejection with respect to any patent issuing from Application No. 09/874,364. Such a terminal disclaimer is submitted with this response. It is respectfully submitted that claims 1-8, 32-42, and 66-69 are therefore in condition for allowance and the rejection, therefore, should be withdrawn.

The Examiner rejected claims 1, 9-17, 32-35, 43-51, and 66-69 under the judicially-created doctrine of obviousness-type double-patenting, as being unpatentable over claims 1, 9-16, 31-34, 42-49, and 64-67 of U.S. Patent No. 6,542,608 B2. The Examiner acknowledged that claims 1, 9-17, 32-35, 43-51, and 66-69 would be allowable by terminal disclaimer to overcome the rejection with respect to the cited patent. Such a terminal disclaimer is submitted with this response. It is respectfully submitted that

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claims 1, 9-17, 32-35, 43-51, and 66-69 are therefore in condition for allowance and the rejection, therefore, should be withdrawn.

The Examiner rejected claims 1, 18-24, 32-35, 52-58, and 66-69 under the judicially-created doctrine of obviousness-type double-patenting, as being unpatentable over claims 1-7, 15-24, and 32-35 of U.S. Patent No. 6,608,901 B2. The Examiner acknowledged that claims 1, 18-24, 32-35, 52-58, and 66-69 would be allowable by terminal disclaimer to overcome the rejection with respect to the cited patent. Such a terminal disclaimer is submitted with this response. It is respectfully submitted that claims 1, 18-24, 32-35, 52-58, and 66-69 are therefore in condition for allowance and the rejection, therefore, should be withdrawn.

The Examiner rejected claims 1, 25-35, and 59-69 under the judicially-created doctrine of obviousness-type double-patenting, as being unpatentable over claims 1-8, 31-41, and 64-67 of U.S. Patent No. 6,549,623 B1. The Examiner acknowledged that claims 1, 25-35, and 59-69 would be allowable by terminal disclaimer to overcome the rejection with respect to the cited patent. Such a terminal disclaimer is submitted with this response. It is respectfully submitted that claims 1, 25-35, and 59-69 are therefore in condition for allowance and the rejection, therefore, should be withdrawn.

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Based on the foregoing, it is submitted that all rejections have been overcome. It is therefore requested that the Amendment be entered, the claims allowed, and the case passed to issue.

Respectfully submitted,

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Date

TMC:hlp



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